

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LARRY NOBLE ROBINSON,

Petitioner,

vs.

STEVE RIVARD,

Respondent.

Civil Action No. 12-cv-11345
HON. BERNARD A. FRIEDMAN
MAG. JUDGE PAUL J. KOMIVES

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Magistrate Judge Paul J. Komives's Report and Recommendation ("R&R") dated September 16, 2013 [docket entry 12], in which he recommends that the Court deny the petition for a writ of habeas corpus and decline to issue a certificate of appealability. Plaintiff has not filed an objection to the R&R pursuant to Fed. R. Civ. P. 72(b)(2).

The Court had an opportunity to fully review this matter and believes that the magistrate judge reached the correct conclusions for the proper reasons. The record demonstrates that petitioner voluntarily entered his guilty plea with the trial court and that his subsequent sentence was not predicated upon materially inaccurate factual information. Additionally, petitioner's remaining state law claims are not subject to habeas relief.

Accordingly,

IT IS ORDERED that Magistrate Judge Paul J. Komives's Report and Recommendation

dated September 16, 2013, is hereby accepted and adopted.

IT IS FURTHER ORDERED that the petition for a writ of habeas corpus is denied.

IT IS FURTHER ORDERED that no certificate of appealability shall issue.

Dated: October 21, 2013
Detroit, Michigan

s/ Bernard A. Friedman _____
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE